



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY

STAFF/OFFENDERS

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03/04/10

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NUMBER

WSP 320.415*

Washington State Penitentiary

**OPERATIONAL
MEMORANDUM**

TITLE

EARNED INCENTIVES PROGRAM

REVIEW/REVISION HISTORY:

Effective: 10/01/09 WSP 320.415* Close Custody Violence Reduction Program
Revised: 03/04/10 WSP 320.415* Earned Incentives Program

SUMMARY OF REVISION/REVIEW:

Title change with major changes/revisions throughout. Read carefully.

APPROVED:


STEPHEN D. SINCLAIR, Superintendent
Washington State Penitentiary

3/4/10
Date Signed



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REFERENCES:

DOC 320.410 Risk Management Teams; DOC 300.380 Classification and Custody Facility Plan Review; DOC 320.150 Disciplinary Sanctions

OPERATIONAL MEMORANDUM:

- I. Washington State Penitentiary (WSP) is committed to providing a safe and healthy environment for staff and offenders and recognizes that offenders have the ability to manage their own behavior in order to contribute to this goal.
- II. The Earned Incentives Program (EIP) provides procedures for offenders in a close custody setting to gain additional privileges for positive behavior. The procedures will also minimize interference for the appropriate programming of offenders who display positive behavior. Offenders who fail to demonstrate positive behavior will experience fewer opportunities.
- III. Washington State Penitentiary staff value pride, integrity, community, honesty, accountability, respect, and communication. They are committed to modeling these values in their interactions with all they come into contact with at WSP.

PROCEDURE:

- I. General Requirements
 - A. The West Complex Correctional Program Manager (CPM) (position WY50) will be responsible for the implementation of this Operational Memorandum.
 - B. Based on behavior, close custody offenders housed in general population will be assigned to one of two program levels. Program and recreation activities for each level are indicated in Attachment 1.
 1. Counselors will complete the Earned Incentives Program Eligibility Checklist (Attachment 2) to assign offenders to Level 1 (Yellow Zip Tie indicator) or Level 2 prior to general population housing in the West Complex.
 - a. Counselors will review new arrivals from the Assignment Office Risk Assessment the day prior to arriving at the facility to determine eligibility.



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- b. Counselors will utilize all required criteria to determine eligibility.
 - c. The Facility Risk Management Team (FRMT) will make the final approval or denial of level status.
 - C. To retain assignment to Level 1, offenders will maintain all behavior based criteria required to obtain Level 1 assignment.
- II. Level Criteria
 - A. Level 1 offenders will:
 - 1. Be 90 days with no segregation placements due to negative behavior.
 - a. Segregation placements without infractions will be reviewed by the FRMT.
 - 2. Infraction free behavior:
 - a. Be 90 days major infraction free of Class B or C infractions.
 - b. Be 365 days free of any Class A infractions.
 - 3. Demonstrate acceptable communication, cooperation, and respectful interaction with staff and other offenders.
 - 4. Demonstrate appropriate classification and programming goals as established by the FRMT.
 - 5. Maintain employment in work assignment when applicable.
 - B. Offenders housed in close custody general population who do not meet the criteria for Level 1 status will be assigned to Level 2.
- III. Level Promotion
 - A. Offender promotion may occur using one of the following processes:



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1. Level 2 offenders who believe they are eligible for a level promotion may forward DOC 21-473 Offender's Kite to their Classification Counselor to request a review for Level 1 eligibility/assignment.
 2. Classification Counselors will review Level 2 offenders every 90 days. The completed review will be documented in an OMNI. If the offender is eligible for a level promotion, the Counselor will complete the appropriate checklist, gather staff input, and schedule the offender for FRMT.
- B. Counselors will have an in-person conversation with each Level 2 offender that is within 30 days of reaching Level 1 status. The meeting will recognize current behavior and encourage the offender to continue positive behavior. Counselors will document this meeting with a comment chrono in OMNI.
- C. Each time a Counselor interviews an offender, the Counselor will discuss the requirements of the Earned Incentives Program.
- D. Counselors will evaluate offenders for level promotion or demotion at each 6 month or annual classification review.
1. Prior to FRMT, the Counselor will review the offender for Level 1 eligibility.
 2. Eligible offenders will be awarded Level 1 status during the FRMT meeting and sign the Earned Incentives Program Statement of Understanding (Attachment 3).
 3. The review and subsequent assignment of level status will be documented in the Counselor comments as well as the FRMT notes in the Custody Facility Plan.

IV. Review Requirements

A. Counselors will:

1. Review the Earned Incentives Program eligibility check list and verify:
 - a. All infractions, and



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- b. Programming/Job Assignments.
2. Obtain feedback from unit, custody, and programming staff regarding offender behavior and interactions within 7 days from the program request using Earned Incentives Program Eligibility Checklist (Attachment 2).
 - a. Counselors will post staff feedback forms in unit work rooms for written feedback.
 - b. Electronic requests will be submitted through email from distribution list.
3. Log receipt of the program request in the Earned Incentives Program Electronic Tracking Sheet.
4. Schedule an interview with the FRMT to determine level assignment.
 - a. FRMT will review all eligibility criteria and staff feedback.
 - b. If an offender receives negative feedback from staff, this will be discussed with the offender and the FRMT will make a level assignment.
 - 1). If the offender is denied Level 1 assignment based on negative feedback from staff, the FRMT will build a plan to outline the requirements for the offender to be eligible for the level promotion.
 - 2). This plan will be provided to the offender in writing.
 - c. To facilitate understanding, the FRMT will discuss the terms and conditions of Level 1 status with each offender assigned to that level.
5. Witness the offender signature on Earned Incentives Program Statement of Understanding. (Attachment 3).



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6. Complete the Earned Incentives Program Review Decision Notification (Attachment 4) to approve or deny entrance into the program and provide copy to offender.

V. Application Denial

- A. Offenders denied assignment to Level 1 will be provided a copy of the Earned Incentive Program Review Decision Notification (Attachment 4) stating the reasons for denial.
 1. The FRMT will create and discuss a required plan of expectations with the offender to assist him in gaining level assignment. The discussion will be documented in OMNI.
- B. The offender may appeal Level 1 program denial to the Correctional Program Manager (CPM)/Designee. The appeal will be made within 14 calendar days of Level 1 denial notification and documented in OMNI.

VI. Loss of Level 1 Privileges

- A. The Unit Manager will be responsible for managing the loss of Level 1 privileges.
- B. If an offender purposely destroys the Level 1 indicator on his I.D. card, he will be removed from the program for a minimum of 6 months. It is the responsibility of the offender to notify the UM/Sergeants when the indicator breaks.
- C. Any serious infractions will automatically result in immediate suspension of Level 1 privileges pending disciplinary hearing adjudication.
 1. The infracting officer will provide a copy of the infraction to the Unit Sergeant.
 2. The Sergeant will:
 - a. Notify the offender of the pending infraction.
 - b. Replace the Level 1 indicator with a Level 2 indicator on the offender's I.D. card.
 - c. Notify the booth of level status change for changes to unit roster.



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3. The Booth Officer will make the change on the roster and notify oncoming shift of change in offender level status.
- D. If found guilty, the offender will lose Level 1 privileges. The offender may reapply after infraction free behavior depending on the level of infraction.
- E. Staff will document inappropriate offender attitude and behavior on DOC 21-917 Incident Report. The report will be submitted to the Unit Manager.
- F. Upon receipt, the Unit Manager will review DOC 21-917 Incident Report regarding inappropriate offender attitude and behavior to determine continued eligibility for Level 1 privileges. The Unit Manager will:
 1. Discuss the behavior with the offender after the first incident report.
 2. Provide consequences of level demotion if the behavior continues.
 3. Document discussion with an OMNI chrono.
 4. Schedule the offender for FRMT to determine Level status if the negative behavior continues.

VII. Program Tracking

- A. The Unit Manager /designee will track the following information in the Earned Incentives Program Electronic Tracking:
 1. Requests received,
 2. Requests approved,
 3. Requests denied, and reason for denial,
 4. Development of expectations for an approval, and
 5. Loss of Level 1 status for negative behavior.

DEFINITIONS:

Words/terms appearing in this operational memorandum may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

Earned Incentives Program Activities (Attachment 1)
Earned Incentives Program Eligibility Checklist (Attachment 2)
Earned Incentives Program Statement of Understanding (Attachment 3)



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Earned Incentives Program Review Decision Notification (Attachment 4)

FORMS:

DOC 21-473 Offender's Kite

DOC 21-917 Incident Report

Earned Incentives Program

Program Activities

Level 1 Offenders

- ✓ Level 1 Recreation Schedule
- ✓ TV Rental Program (as available)
- ✓ Two In-Cell Curio Permits (Art, Beading, Yarn/String, Model Building, Material Crafts)
- ✓ Ability to eat meals in the dayroom or cell
- ✓ In-Unit Tournaments (as scheduled)
- ✓ Personal Food Nights in Dayroom (as scheduled)
- ✓ Intramural Sports (as scheduled)
- ✓ Cultural Events
- ✓ Family Friendly Activities
- ✓ Special Event of the Month
 - January In-Unit Tournaments
 - February Movie
 - March Movie or Basketball with Nachos
 - April In-Unit Tournaments
 - May Mother's Day Brunch
 - June Concert
 - July Family Picnic/Brunch
 - August Movie or Sporting Event
 - September Soccer (outside team)
 - October Talent Show
 - November Movie or Sporting Event
 - December Bowling in the Gym
- ✓ Charity Food Fundraisers (pizza, chicken, ice cream per quarterly schedule) – eating privileges in the dayroom.
- ✓ Personal games in the Dayroom

Level 2 Offenders

- ✓ Level 2 Recreation Schedule
- ✓ All meals will be eaten in the cell
- ✓ One In-Cell Curio Permit (Art & Beading available)
- ✓ Charity Food Fundraisers (pizza, chicken, ice cream per quarterly schedule) – must return to cell.

Earned Incentives Program Eligibility Checklist

Date:

Name:

DOC #

Unit/Cell

Age:

Race:

Assigned Counselor:

ERD:

List all Major Infractions during the last 90 Days:

List any Class A Infractions within the last 1 year:

Does the offender have a current Educational Program? ☐ Yes ☐ No

Does the offender have a current Work Assignment? ☐ Yes ☐ No

Has the offender been housed in a Segregation or Intensive Management Unit in the past 90 days?

☐ Yes ☐ No

If yes, was it for negative behavior? ☐ Yes ☐ No

OFFENDER:

DOC#

Housing:

Is eligible for the Earned Incentives Program. Please provide input regarding the appropriateness of this offender being promoted to Level A. As many staff as possible/available at the time of consideration should evaluate and provide input as part of this FRMT process. Comment on any positive or negative incidents involving this inmate in the past 90 days. Attach a memo if more room is needed.

1=Unacceptable				2=Borderline				3=Acceptable				4=Good			
1	2	3	4		1	2	3	4		1	2	3	4		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cell Cleanliness						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Follows Rules/Directives	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Personal Hygiene						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Interaction with offenders	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cooperates with Staff						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Overall Behavior/Attitude	

COMMENTS:

Signature:

1	2	3	4		1	2	3	4	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cell Cleanliness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Follows Rules/Directives
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Personal Hygiene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Interaction with offenders
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cooperates with Staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Overall Behavior/Attitude

COMMENTS:

Signature:

1	2	3	4		1	2	3	4	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cell Cleanliness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Follows Rules/Directives
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Personal Hygiene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Interaction with offenders
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cooperates with Staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Overall Behavior/Attitude

COMMENTS:

Signature:

1	2	3	4		1	2	3	4	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cell Cleanliness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Follows Rules/Directives
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Personal Hygiene	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Interaction with offenders
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cooperates with Staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Overall Behavior/Attitude

COMMENTS:

Signature:

Please Return this worksheet to CC by

Earned Incentives Program

Statement of Understanding

Loss of Level 1 Status:

- Any Serious Infractions will automatically result in immediate loss of Level 1 privileges pending the adjudication of the hearing. If found guilty you will lose your Level 1 status and may reapply at the discretion of the FRMT.
- Multiple complaints from staff pertaining to behavior will result in loss of Level 1 privileges as decided through Facility Risk Management Team review.
- This program has an established appeal process and does not meet the criteria for a grievance.

By signing this you agree that you have read and understand the terms of participation.

Offender Signature: _____
(To be signed at FRMT)

Staff Witness Signature: _____

Denials:

- Any denial into the program by the FRMT may be appealed, in writing, to the Correctional Program Manager within 14 days of the denial.
- The ability to reapply after a denial will be at the discretion of the FRMT.
- The FRMT will be responsible for discussing and making plans to assist offenders in gaining Level 1 approval, which will be documented in OMNI

Earned Incentives Program Review Decision Notification

TO: DOC # Housing:

FROM:

DATE:

The FRMT has reviewed your application expressing interest in the Earned Incentives Program. At this time you have been:

- ☐ Approved
- ☐ Denied for the following reason:
 - ☐ You have been housed in Segregation or Intensive Management Unit within the last 90 days due to negative behavior.
 - ☐ You have received a major Class B or C infraction within the last 90 days.
 - ☐ You have negative behavior reports from staff.
 - ☐ You have had a Class A infraction within the last 365 days
 - ☐ Other:

Based on the decision of the Facility Risk Management Team, you may reapply for the program on or after:

Date:

And must meet the following expectations: